

REMARKS/ARGUMENTS

Claims 1, 2 and 11 have been amended to clarify the structure of the invention as presented in the original application. New claim 16 has been added based on the original application disclosure.

Claim 1 through 15 have been objected to because claims 1, 2, and 11 include the phrase "separated overlapping ends" that the examiner states is confusing. Claims 1, 2 and 11 have been amended to clarify the separation of the ends and the overlapping of a portion of the outer band adjacent the separated ends as originally presented in the drawings and specification. The ends of the outer ring are not directly attached as by welding nor are they abutting, rather they are separate for expansion and contraction of the band. A portion of the bands may overlap as illustrated in Figure 2.

Claims 1, 2, 8 and 10 have been rejected under 35 USC 102(b) as being anticipated by Shenk, et al. The examiner has stated with respect to claim 1 that Shenk discloses outer and inner bands and a cover wherein a perimeter edge of the cover is fastened between the outer and inner bands. It is further stated that the outer band has two separated overlapping ends, the disjointed separate ends of the top of the two webs, separated by a bolt and the inner band having two separated ends separated by the bolt; and a clamp attached to one of said inner band and said outer band seen as bolt (14).

Claim 1 has been amended to more clearly claim the clamp as an expansion clamp as original described and illustrated in the drawings and the positioning of the outer and inner bands. The clamp of Shenk and the other references are compression clamps to draw in and secure a clamping ring or band around an object such as a barrel. The webs of Shenk are basically flanges of the clamping ring 11 in order to form a trough. Normally, according to Webster's Dictionary, a web is the connecting plate between the upper and lower flanges of a girder or rail, not the flanges themselves. By dictionary definition a web may also be a thin sheet, plate or strip of metal. However, the Shenk patent illustrates and defines the webs as sides of a trough or flanges, not a band or clamping ring 11. The webs 12 also do not have a clamp attached. The clamp including bolt 14 is illustrated and described as an extension of clamping ring 11. For all of these reasons it is believed the instant invention is not

disclosed in the prior art and should be allowed.

The examiner has stated with reference to claim 2 that Shenk discloses the bottom webs 12 having two separate overlapping ends and the clamp is attached to the inner band seen as bolt 14. The Shenk bottom web does not have any portion of it overlapping, including any portion adjacent the edges. The ends are separated with a gap therebetween. As discussed previously, the clamp through which bolts 14 are inserted is a part of the clamping ring 11 and not the trough sides 12. Claim 2 of the instant invention as currently amended is distinguished from the prior art and should be allowed.

The examiner has stated with reference to claim 8 that the perimeter edge of cover 3 is shown wrapped around the outer band prior to fastening. Assuming the examiner is defining the outer band as one of webs 12 as previously stated by the examiner, the cover 3, flange 6 is not wrapped around anything. The flange is a flat piece of metal that may be inserted between a web 12 and a ring 9. The cover of the instant invention is wrapped around a band as described and illustrated and this claim should be allowed.

The examiner has stated with reference to claim 10 that Figure 5 (of Shenk) illustrates the top web 12 partly coextensive with the cover 3, therefore wider than the lower web 12. It is not clear what is meant by coextensive with the cover. The cross-section of both webs 12 are illustrated as having the same width. The upper web is shown extended around the rim of the drum, whereas the lower web is not. It is assumed this is a drawing error. Claim 10 should be allowed.

The examiner has rejected claim 3 under 35 USC 103(a) as being unpatentable over Shenk. The examiner has stated that Shenk fails to disclose the fastening of the cover with a plurality of screws. It is further stated that it would be obvious to one of ordinary skill in the art to fasten the cover of Shenk between the outer band and the inner band (top and bottom webs) with a plurality of screws. It is not understood how this would be possible with the Shenk design. If screws were to be threaded between the two webs 12 to fasten the cover 3 it does not appear possible for the clamp ring 11 to be tightened around the top of the barrel as illustrated in the Figures. The screws would interfere with the

rings, etc at the upper edge of the barrel. It is believed claim 3 should be allowed.

Claim 7 has been rejected under 35 USC 103(a) as being unpatentable over Shenk as applied to claim 1 above, and further in view of Sauriol. The examiner states that Shenk fails to disclose a handle, but Sauriol teaches a handle rings 60 on a cover. Claim 7 is now dependent on what is believed to be an allowable claim and should be allowed.

Claim 11 through 15 have been allowed if written to overcome the claim objection. Claim 11 has been amended to overcome the claim objection.

Claims 4, 5, 6 and 9 have been objected to as being dependent upon a rejected base claim. Claim 1 has been amended and is now believed to be allowable; therefore, these claims should be allowed.

It is believed with the clarifying amendments that the uniqueness of the instant invention is not disclosed in the cited art.

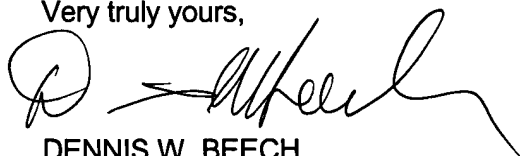
Accordingly it is believed that the rejections under 35 USC Section 102(b) and 103 have been overcome by amending of the claims and the remarks, and withdrawal thereof is respectfully requested.

In view of the above, it is submitted that the claims are in condition for allowance. Reconsideration of the cause for rejections and objections is requested. Allowance of claims 1 through 16 is earnestly solicited.

No additional fee for claims is seen to be required.

If you have any questions do not hesitate to contact me.

Very truly yours,

A handwritten signature in black ink, appearing to read "Dennis W. Beech", with a large, stylized initial "D" and a long, sweeping horizontal stroke extending to the right.

DENNIS W. BEECH
Reg. No.: 35,443

DWB/ab